

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

JERRY LEE LEWIS, JUDITH LEWIS,
and JERRY LEE LEWIS, III

PLAINTIFFS

V.

CIVIL ACTION NO. 3:17-CV-00180-NBB-RP

EZEKIEL ASA LOFTIN, XII,
PHOEBE LEWIS-LOFTIN, individually and as successor in interest to
PONT NEUF, INC., a Mississippi corporation,
PONT NEUF, INC., a Tennessee corporation,
and PONT NEUF, an unincorporated entity

DEFENDANTS

EZEKIEL ASA LOFTIN, XII, and
PHOEBE LEWIS-LOFTIN

COUNTER-PLAINTIFFS

V.

JUDITH LEWIS and
JERRY LEE LEWIS, III

COUNTER-DEFENDANTS

ORDER

Presently before the court is Defendants' motion to dismiss under Rules 4(m), 12(b)(2), and 12(b)(5) of the Federal Rules of Civil Procedure. Defendants correctly assert that neither Pont Neuf, Inc., a Mississippi corporation ("PN-MS") or Pont Neuf, Inc., a Tennessee corporation ("PN-TN"), has ever been served with process. In opposition, Plaintiffs argue that service was unnecessary because neither entity has been named a defendant in this action. Plaintiffs' Amended Complaint, however, clearly identifies PN-MS and PN-TN as Defendants. Accordingly, the court finds that the instant motion is well-taken and is, therefore, **GRANTED**, and that Defendants PN-MS and PN-TN are hereby **DISMISSED** from this cause.

SO ORDERED AND ADJUDGED this, the 4th day of April, 2019.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.

UNITED STATES DISTRICT JUDGE